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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,505	10/30/2003	Yasuo Takebe	61352-046	5764
7590	04/14/2010			
MCDERMOTT, WILL & EMERY 600 13th Street, N.W. Washington, DC 20005-3096		EXAMINER ALEJANDRO, RAYMOND		
		ART UNIT 1795		PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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Mailed : : : : :
In re Application of DECISION ON
Takebe et al. PETITION
Serial No. 10/696,505
Filed: October 30, 2003
For: METHOD OF OPERATING FUEL CELL SYSTEM AND
FUEL CELL SYSTEM

This is a decision on Appellants' Petition under 37 CFR 1.181 to request that the Notice of Non-Compliant Appeal Brief dated March 1, 2010 be withdrawn. The Examiner considered the Brief filed on January 6, 2010 to be defective because the Brief does not contain a concise explanation of each independent claim which refers to the specification by page and line number.

The Appeal Brief filed on January 6, 2010 is considered compliant.

DECISION

The petition is **GRANTED**.

The Examiner is directed to allow the application to proceed in the appeal process and to have the Notice of Non-Compliance withdrawn.

/JACQUELINE STONE/

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